



Minnesota Department of Natural Resources

DNR Waters
500 Lafayette Road
St. Paul, MN 55155
Phone 651.296.6157

April 11, 2002

Deric Deuschle
Short Elliott Hendrickson, Inc.
3535 Vadnais Dr.
St. Paul, MN 55110

Dear Mr. Deuschle:

Permit 2002-1106, Diversion Channel, Red Lake River, Polk County

Enclosed is Permit 2002-1106 authorizing you to construct Phase II of a flood control project, including excavating a high-flow diversion channel between two oxbows and placing riprap along 275 feet of shoreline of the Red Lake River in the SW ¼, SW ¼, Section 26, T150N, R47W, Polk County.

Please note all provisions of this permit, particularly the provision requiring preparation of a monitoring plan. Also note the provision regarding wetlands not subject to DNR water permit jurisdiction. You should contact your local unit of government (City, County, or Soil and Water Conservation District) to determine your compliance with the Wetland Conservation Act. Your DNR water permit does not authorize you to proceed with your project until you comply with the Act.

If you have any questions, please contact Area Hydrologist Chad Konickson at 218.681.0947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kent Lokkesmoe', is written over a horizontal line.

Kent Lokkesmoe
Director, DNR Waters

enc.

c:
DNR Central Office Permits Unit
DNR Conservation Officer Benson
DNR Wildlife, R1
DNR Fisheries, R1
Chad Konickson, DNR Waters

W Polk County SWCD
Polk County Zoning
Red Lake Watershed District
Corps of Engineers
Larry Kramka, DNR Waters





PUBLIC WATERS WORK PERMIT

Permit Number

2002-1106

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

Protected water: Red Lake River	County: Polk (60)
Name of permittee: City of Crookston, Deric Deuschle, Agent	Telephone number: 651.490.2000
Address: Short, Elliott, Hendrickson, Inc.; 3535 Vadnais Dr., St. Paul, MN 55110	
Authorized work: Phase II of the Crookston Flood Control Project: Construct a high-flow diversion channel between two oxbows of the Red Lake River, approximately 675' long by 100' wide, by excavating 36,000 cy of material over 2 acres, and placing 8,500 cy of riprap along 725 feet of shoreline. All work must be done in accordance with the permit application dated December 24, 2001, and accompanying plans.	
Purpose of permit: Flood control.	Expiration date of permit: November 30, 2007
Property described as: SW ¼, SW ¼, Section 26, T150N, R47W	

This permit is granted **subject to** the following **CONDITIONS**:

1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning. This permit does not release the **permittee** of any permit requirement of the St. Paul district, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 190 Fifth Street East, St. Paul, MN 55101-1638.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the provisions or applicable law of this permit, unless otherwise provided in the Special Provisions.
7. Construction work authorized under this permit shall be completed on or before the date specified above. The **permittee** may request an extension of time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.
8. In all cases where the **permittee** by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the **permittee**, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the **permittee** or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the **permittee**, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the **permittee**, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
10. Any extension of the surface of protected waters from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the **permittee** shall not initiate any work under this permit until the **permittee** has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

ADDITIONAL CONDITIONS

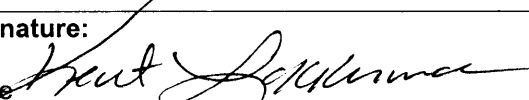
12. **Permittee** shall ensure that the contractor has received and thoroughly understands all conditions of this permit.
13. Erosion control measures shall be adequately designed for site characteristics. Measures such as staked haybales, silt fences, and diversion structures shall be installed prior to project start and be maintained until exposed soil is stabilized with vegetation.
14. In the event the site cannot be stabilized with vegetation before September 15, all exposed soil shall be adequately mulched at a rate of not less than 3500 lbs./acre, leaving no more than 20% visible soil surface and maintained until seeding/sodding can be achieved.
15. The **permittee** is authorized to maintain the approved work to the dimensions herein described. Prior to commencing any maintenance work, the **permittee** shall advise the Department of Natural Resources of the extent and method of maintenance. Maintenance shall not be commenced until the **permittee's** receipt of the Department's approval.
16. DNR Waters reserves the right to review this permit as additional hydrologic data become available and to issue any further order as may become necessary to protect public interest.
17. The outlet structures shall be screened as much as possible from the surface of the protected water through the use of existing vegetation or plantings.
18. Upon completion of construction, the bed of the protected water shall be restored as nearly as practicable to the original cross-section.
19. No construction affecting the bed of the Red Lake River shall be conducted between April 15 and June 1 in order to minimize impacts on spring fish spawning.
20. All spoil material shall be disposed of in an upland location, outside the 100-year floodplain.
21. A detailed erosion and sedimentation monitoring plan shall be developed with cooperation from the DNR Division of Ecological Services, and incorporated into the project Operations and Maintenance Manual. Permittee shall coordinate with Luther Aadland, DNR Ecological Services, Fergus Falls, at 218.739.7449.

This document drafted by: Chad Konickson

Approved by: Larry Kramka

C:
DNR Central Office Permits Unit
DNR Conservation Officer Benson
DNR Wildlife, R1
DNR Fisheries, R1
Chad Konickson, DNR Waters

W. Polk County SWCD
Polk County Zoning
Red Lake Watershed District
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Authorized signature: Kent Lokkesmoe 	Title: Director, DNR Waters	Date: APRIL 11, 2002
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